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**THE HONORABLE BRIAN D. LYNCH**  
**CHAPTER 13**  
**LOCATION: Tacoma, WA**  
**HEARING DATE: APRIL 24, 2019**  
**HEARING TIME: 1:30 P.M.**  
**RESPONSE DEADLINE: APRIL 17, 2019**

**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In Re: )  
 ) NO. 18-42548-BDL  
 )  
MICHAEL T. JONES and )  
WANDA LYN SANFORD, )  
 ) NOTICE OF HEARING AND MOTION TO  
 ) AVOID JUDICIAL LIEN  
 )  
\_\_\_\_\_  
Debtors )

**NOTICE**

**PLEASE TAKE NOTICE** that the undersigned will bring on for hearing before the Honorable Judge Brian D. Lynch of the above entitled Court, 1717 Pacific Avenue, Courtroom I, Tacoma, Washington on Wednesday, April 24, 2019, at 1:30 PM, a Motion for Judicial Lien Avoidance.

**RESPONSE DUE**

IF YOU OPPOSE the motion, you must file your written response with the court clerk, the undersigned and Chapter 13 Trustee NOT LATER THAN the RESPONSE DATE, which is April 17, 2019. IF NO RESPONSE is timely filed and served, the Court may, in its discretion, GRANT the motion. If you object you must appear at the hearing.

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**MOTION**

**COMES NOW** the above-named debtors by and through the attorneys, Shoemaker & Dart, P.S., Inc. and move the court pursuant to 11 USC §522(f)(1), for an order avoiding the judgment lien of PHYSICIANS AND DENTISTS CREDIT BUREAU, INC. dba P&D COLLECTION SERVICES (hereinafter referred to as the Creditor, on property of Michael Jones and Wanda Lyn Sanford, (hereinafter referred to as the Debtors), as a lien that impairs the interest of the debtor in exempt property.

Movant states as follows:

Creditor obtained a judgment in Pierce County District Court in Case # 716498 on August 11, 2011 in the amount of \$3651.22, which judgment may constitute the basis for a lien on real property of the debtors.

Such lien may impair the interest of the debtors' property of a kind described in 11 USC §522(d)(1), in which the debtors are entitled to an exemption in this case. Such lien is on debtors' real property located at 9903 75<sup>th</sup> Avenue E, Puyallup, Pierce County, Washington, legally described as follows:

LOT 1 OF PIERCE COUNTY SHORT PLAT NO 77-310, FILED MAY 24, 1977 IN  
BOOK 16 OF SHORT PLATS, PAGE 53, RECORDS OF PIERCE COUNTY  
AUDITOR.

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.

The fair market value of the real property is listed in the schedules at \$267,800

The total of unavoidable liens against the property are as follows:

**TOTAL:** \$221,143.17 (Pennymac)

Considering the debtors' \$46,656.83 exemption available under 11 USC §522(d)(1), the sum total of all unavoidable liens against the property exceeds the value of the debtors' interest in said property, thereby impairing the debtors' lawful exemption.

* Unavoidable liens	\$ 221,143.17
* 11 USC §522(d)(1)exemption	<u>46,656.83</u>
	\$ 267,800.00

WHEREFORE, debtors request the entry of an Order Avoiding the Lien of PHYSICIANS AND DENTISTS CREDIT BUREAU, INC. dba P&D COLLECTION SERVICES and providing that such lien shall not survive this bankruptcy proceeding or affix to or remain enforceable against the interest of the debtors in any of the aforementioned property following the conclusion of this case.

**DATED** this 20th day of March, 2019.

/s/ Kathleen V. Shoemaker  
Kathleen V. Shoemaker, WSBA #27358  
Of Attorneys for Debtors